

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARTI JEAN K.,

No. 6:18-cv-00109-HZ

Plaintiff,

ORDER

v.

COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION,

Defendant.

HERNÁNDEZ, District Judge:

Plaintiff Marti Jean K. brought this action seeking review of the Commissioner's final decision to deny Supplemental Security Income and Disability Insurance Benefits. On July 10, 2019, the Court reversed the Commissioner's decision and ordered that the case be remanded for additional proceedings. Op. & Order, ECF 17. Judgment was also entered on July 10, 2019. Judgment, ECF 18.

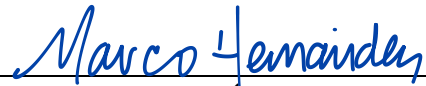
Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Pl. Mot., ECF 23. Defendant has no objection to the request. *Id.* The Court has reviewed the record in the case, the

motion, and the supporting materials including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S. 789, 796 (2002), the Court finds the requested fees reasonable.

The Court grants the Motion [23] and awards Plaintiff's counsel \$4,723.55 in attorney's fees under 42 U.S.C. § 406(b). This amount represents 25% of Plaintiff's total unpaid retroactive disability benefits, less the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, and administrative fees already received by counsel. Any amount withheld after all administrative and court attorney's fees are paid should be released to Plaintiff.

IT IS SO ORDERED.

Dated: December 23, 2020.



MARCO A. HERNÁNDEZ
United States District Judge